City of Columbus

Agenda - Final

Columbus City Council

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

ELECTRONIC READING OF MEETING DOCUMENTS AVAILABLE DURING COUNCIL OFFICE HOURS. CLOSED CAPTIONING IS AVAILABLE IN COUNCIL CHAMBERS. ANY OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY PRIOR TO THE COUNCIL MEETING.

Monday, May 11, 2009 | **5:00 PM** | **City Council Chambers, Rm 231**

REGULAR MEETING NO. 21 OF COLUMBUS CITY COUNCIL, MAY 11, 2009 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0012-2009 THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY MAY 6, 2009:

New Type: D1
To: Hootless LTD
DBA Tip Top Kitchen & Cocktail
73 E Gay St & Patio & Bsmt
Columbus OH 43215
Permit # 39616630005

New Type: D5
To: Surly Girls LTD
DBA Surly Girl Saloon
1126 N High St 1st Fl & Bsmt
Columbus OH 43201
Permit # 8705582

New Type: D1
To: LD Enterprises of Ohio Inc
DBA Sushi Ting
2875 Olentangy River Rd
Columbus OH 43202
Permit # 4949422

Transfer Type: D5, D6
To: Patio 5 on Front LLC
DBA After Five
482 S Front St & 2 Patios
Columbus OH 43215
From: Brewery District Bar LLC
DBA After Five
482 S Front St & 2 Patios

Columbus OH 43215
Permit # 6744677

Advertise: 05/16/2009
Return: 05/26/2009

RESOLUTIONS OF EXPRESSION

CRAIG

0061X-2009 To recognize and honor the Komen Columbus Race for the Cure and the Susan G. Komen for the Cure for their tireless efforts to raise the funding needed for research in order to end breast cancer once and for all.

Sponsors: Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares, Priscilla Tyson and Michael C. Mentel

0062X-2009 To recognize the efforts of Dr. William J. Hicks and The Ohio State University Comprehensive Cancer Center - Arthur G. James Cancer Hospital and Richard J. Solove Research Institute in their development of the Diversity Enhancement Program aimed at increasing general cancer awareness among African-Americans and other underserved minorities.

Sponsors: Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares, Priscilla Tyson and Michael C. Mentel

ADDITIONS OR CORRECTIONS TO THE AGENDA

FIRST READING OF 30-DAY LEGISLATION

PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL

0559-2009 **FR** To authorize the City Auditor to reestablish an encumbrance in the amount of $18,241.68 with Korda Nemeth Engineering, Incorporated, for design of the Briggs Road Drainage Improvement project for the Division of Mobility Options; to authorize the expenditure of $18,241.68 or so much thereof as may be needed from the Streets and Highways G.O. Bonds Fund. ($18,241.68)

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

0658-2009 **FR** To authorize the Director of Development to enter into a five-year Jobs Growth Incentive agreement with Limbach Company LLC in consideration of the proposed investment of $1,350,000, the relocation/retention of 110 full-time permanent employees and the creation of 35 full-time permanent positions.

0665-2009 **FR** To assess certain properties for the cost for demolishing structures found to be public nuisances.

0679-2009 **FR** To approve the Certified Local Government Grant for the preparation of an historic district nomination to the National Register of Historic Places for the commercial district of North Columbus for Funding Year 2009; and that the Historic Preservation Officer shall act as the Grant Project Coordinator.

0680-2009 **FR** To approve the Certified Local Government Grant for the repair of the historic

tile roof of the Green Lawn Abbey mausoleum known as Green Lawn Abbey for Funding Year 2009; and that the Historic Preservation Officer shall act as the Grant Project Coordinator.

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0568-2009 **FR** To authorize the Director of Public Utilities to enter into an agreement with Korda/Nemeth Engineering, Inc. for professional engineering services for the Near East Area Water Line Improvements Project; and to authorize the expenditure of $134,179.00 from the Water Works Enlargement Voted Bonds Fund for the Division of Power and Water. ($134,179.00)

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

0667-2009 **FR** To amend Ordinance No. 1883-2008 to correct technical errors in the amended city code provisons relating to the provisions that allow articulated buses to be operated within the City of Columbus.

Sponsors: Hearcel Craig

ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL

0611-2009 **FR** To rezone 4820 CENTRAL COLLEGE ROAD (43081), being 57.07± acres located north of the intersection of Central College Road and Caplinger Avenue, From: NE, Neighborhood Edge, and NG, Neighborhood General Districts, To: NE, Neighborhood Edge District (Rezoning # Z09-004).

0613-2009 **FR** To rezone 3034 EAST LIVINGSTON AVENUE (43227), being 0.53± acres located at the northeast corner of East Livingston Avenue and James Road, From: C-4, Commercial, and R-3, Residential Districts, To: CPD, Commercial Planned Development District (Rezoning # Z08-064).

0664-2009 **FR** To rezone 739 WEST THIRD AVENUE (43212), being 5.13± acres located at the southwest corner West Third Avenue and Olentangy River Road, From: R-1, Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z09-002).

CONSENT ACTIONS

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

0620-2009 **CA** To authorize the Director of the Department of Finance and Management to execute a Lease Amendment with Directions for Youth and Families Group, Inc. to modify the lease to provide for a renewal term of three (3) years in length, with the renewal term commencing on July 1, 2009 and terminating on June 30, 2012.

0638-2009 **CA** To authorize and direct the Finance and Management Director to enter into contract for the option to purchase vehicle rental from Hertz Car Rental (Byers Car Rental, L.L.C.), to authorize the expenditure of one (1) dollar from the Mail, Print Services and UTC Fund; and to declare an emergency. ($1.00)

PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL

0549-2009 **CA** To accept various deeds for parcels of real property; to dedicate these parcels as public rights-of-way and to name said rights-of-way as Fifth Street, Walnut Street, Doherty Road, Fisher Road, Warner Road, Civic Center Drive, Bent

Tree Boulevard, Federated Boulevard, Hamilton Road, Hall Road, Kenny Road, Godown Road, Jackson Pike, Central College Road, Olentangy River Road, West Broad Street, Mount Vernon Avenue, Hamilton Avenue and Orion Place.

0557-2009 **CA** To accept the plat titled "Ashbrook Run Section I (includes and is a resubdivision of part of The Glen at Schirm Farms Section 2, Plat Book108, Page 8)", from Ashbrook Run LLC, an Ohio limited liability company, by Village Communities Corporation, an Ohio corporation, Sole Member, by Donald R. Kenney, Manager and by The Glen At Schirm Farms, LLC, an Ohio limited liability company, by Village Communities Corporation, an Ohio corporation, Sole Member, by Donald R. Kenney, Manager.

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

0603-2009 **CA** To authorize the payment of $5,602.08 for vacation time and benefits which have been accumulated in excess of the maximum amount established by salary ordinance for Fire Division personnel. ($5,602.08)

0636-2009 **CA** To authorize and direct the Chief of Police to enter into a grant agreement with the State of Ohio, Department of Natural Resources, Division of Watercraft, to authorize an appropriation of $23,953.22 from the unappropriated balance of the General Government Grant Fund for the Division of Police for the operation of a Marine Patrol Program; and to declare an emergency. ($23,953.22)

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

0654-2009 **CA** To authorize the Director of the Department of Development to enter into various contracts for the provision of grass cutting services on City-owned property being held in the Land Bank; to authorize the expenditure of $90,000 from the Land Management Fund; and to declare an emergency. ($90,000)

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

0433-2009 **CA** To authorize the Director of the Department of Technology to modify and renew a contract with Xerox Corporation for annual printer maintenance support services; to authorize the expenditure of $77,966.88 from the Department of Technology, Information Services Fund; and to declare an emergency. ($77,966.88)

0606-2009 **CA** To authorize the Director of the Department of Technology to renew an existing contract with Environmental Systems Research Institute, Inc. for annual software maintenance and support services, to authorize the expenditure of $81,724.96 from the Department of Technology Information Services Fund; and to declare an emergency. ($81,724.96)

JUDICIARY & COURT ADMINISTRATION: PALEY, CHR. CRAIG TYSON MENTEL

0367-2009 **CA** To authorize and direct the Franklin County Municipal Court Clerk to enter into a contract with Oracle USA, Inc. for maintenance and support in accordance with sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of $46,464.00 from the Municipal Court Clerk computer fund; and to declare an emergency. ($46,464.00)

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0543-2009 **CA** To authorize the Director of the Department of Public Utilities to authorize and direct the City Auditor to deposit funds in the amount of $762,768.75 into the State Treasury Asset Reserve of Ohio (Star Ohio) program for surety funds required for a construction permit to be issued for the Hap Cremean Water Plant Lagoon No. 2 Embankment Modifications Project; to authorize the appropriation and transfer of $762,768.75 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of $762,768.75 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. ($762,768.75)

0550-2009 **CA** To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Siemens Water Technologies for the purchase of U.S. Filter/Envirex Parts from an established Universal Term Contract for the Division of Sewerage and Drainage, and to authorize the expenditure of $25,000.00 from the Sewerage System Operating Fund. ($25,000.00)

0552-2009 **CA** To authorize the Director of Public Utilities to modify the contract for Specialty Maintenance Crafts with Righter Co., Inc. for the Division of Sewerage and Drainage; and to authorize the expenditure of $170,000.00 from the Sewerage System Operating Fund. ($170,000.00)

0577-2009 **CA** To authorize the Director of Finance and Management to establish a blanket purchase order for Laboratory Supplies from an established Universal Term Contract with VWR Scientific Products for the Division of Sewerage and Drainage and to authorize the expenditure of $15,000.00 from the Sewerage System Operating Fund ($15,000.00)

0600-2009 **CA** To authorize the Director of Public Utilities to execute a planned modification to the contract for HVAC Maintenance Services with Jim Skaggs dba Cornerstone Maintenance Services, Ltd. for the Division of Sewerage and Drainage; and to authorize the expenditure of $ 136,315.90 from the Sewerage System Operating Fund. ($136,315.90)

HEALTH, HOUSING & HUMAN SVC'S: TAVARES, CHR. TYSON MILLER MENTEL

0624-2009 **CA** To authorize and direct the Board of Health to enter into a contract with Access 2 Interpreters, LLC for interpretation services; to authorize the total expenditure of $50,000.00 from the Health Department Grants Fund; and to declare an emergency. ($50,000.00)

0630-2009 **CA** To authorize and direct the Columbus Health Department to accept grant funds from the Ohio Department of Health in the amount of $80,997; to authorize the appropriation of $80,997 from the Health Department Grants Fund; and to declare an emergency, ($80,997)

0673-2009 **CA** To authorize the Director of the Department of Development to modify a contract with Buckeye IV Home Builders LTD by changing the contract period; and to declare an emergency.

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

0056X-2009 To provide for the submission to the electors of the City of Columbus at a special election to be held on August 4, 2009, an ordinance to increase the city income tax from a rate of two percent (2.0%) to a rate of two and one-half

percent (2.5%) effective October 1, 2009, to amend sections 361.19, 361.21, and 361.24, Columbus City Codes,1959, and to declare an emergency.

PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL

0586-2009 To authorize the Director of Public Service to make payment to the Mid-Ohio Regional Planning Commission for staff support services rendered in connection with the State Capital Improvement Program and Local Transportation Improvement Program for the Division of Design and Construction; and to expend $18,732.00 from the Streets and Highways G.O. Bonds Fund for this purpose. ($18,732.00)

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

0614-2009 To authorize the Director of the Department of Development to amend forty-one (41) currently active Enterprise Zone Agreements and five (5) currently active Community Reinvestment Area Agreements held between the City of Columbus and various Enterprises for the purpose of eliminating language pertaining to personal property investment, and to dissolve six (6) other currently active Enterprise Zone Agreements that abate personal property tax only.

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0532-2009 To authorize the Director of Public Utilities to execute a construction contract with Kokosing Construction Company, Inc., for the HCWP Lagoon No. 2 Embankment Modifications Project; to waive the provisions of competitive bidding; to authorize the appropriation and transfer of $2,019,455.68 from the Water System Reserve Fund to the Water Supply Revolving Loan Account Fund; to authorize the appropriation and expenditure of $2,019,455.68 within the Water Supply Revolving Loan Account Fund, and to authorize an amendment to the 2008 Capital Improvements Budget for the Division of Power and Water. ($2,019,455.68)

0534-2009 To authorize the Director of Public Utilities to execute a construction contract with U.S. Utility Contractor Co. for the North High St. Circuit Conversion Project, Phase II for the Division of Power and Water (Power); to authorize the appropriation and transfer of $216,919.00 from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund; and to authorize the expenditure of $216,919.00 from the Voted Street Lighting and Electricity Distribution Improvement Fund for the Division of Power and Water; and to amend the 2008 Capital Improvement Budget. ($216,919.00)

0629-2009 To authorize the Director of Public Utilities to negotiate and enter into a contract for purchase power, to waive provisions of Columbus City Code relating to award of contracts through the request for proposal process, to authorize the expenditure of $1.00 from the Electricity Operating Fund; and to declare an emergency. ($1.00)

HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. TYSON MILLER MENTEL

0646-2009 To authorize the repeal of Ordinance 1960-2008, passed on December 15, 2008, to remove Gambit Investment, LLC's proposed project from the Home

Again Program (Housing Preservation Fund); to authorize and direct the City Auditor to cancel the auditor certificate issued for that project; to authorize the Director of the Department of Development to modify the Home Again Program contract with The Affordable Housing Trust for Columbus and Franklin County; to authorize the expenditure of $60,000 from the Housing Preservation Fund; and to declare an emergency ($60,000)

0657-2009 To authorize the Director of the Development Department to enter into a contract with the Affordable Housing Trust for Columbus and Franklin County to facilitate the production of affordable housing and enhance home ownership opportunities in Columbus; to authorize the appropriation and expenditure of 0.43% (presently estimated at $1,125,000) of the combined rates of 5.1% of the Hotel/Motel Excise Tax, less $150,000; and to declare an emergency. ($1,125,000)

0671-2009 To adopt the Homelessness Prevention and Rapid Re-Housing Program; to authorize the filing of the Homelessness Prevention and Rapid Re-Housing Program application with the U. S. Department of Housing and Urban Development; and to make a substantial amendment to the Consolidated Plan's 2008 Action Plan; and to declare an emergency.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0553-2009 To authorize the Director of Recreation and Parks to enter into contract with three community agencies to provide After School programming services; to authorize the expenditure of $79,500.00 from the Recreation and Parks Fund. ($79,500.00)

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

0674-2009 To increase the city income tax from a rate of two percent (2.0%) to a rate of two and one-half percent (2.5%) effective October 1, 2009, to amend sections 361.19, 361.21, and 361.24, Columbus City Codes, 1959, and to declare an emergency.

Sponsors: Michael C. Mentel

(REQUEST TO TABLE INDEFINITELY)

ADJOURNMENT